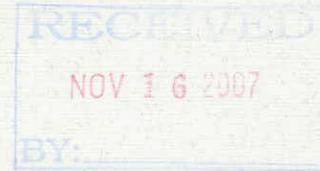


November 12, 2007



Ms. Renetta Hobson
Georgia Department of Community Affairs
Office of Planning and Quality Growth
60 Executive Park South, N. E.
Atlanta, Georgia 30329-2231

RE: Lincoln County Water Service Delivery Strategy Update

Dear Ms. Hobson:

On behalf of Lincoln County and the City of Lincolnton, please find enclosed executed Service Delivery Strategy Forms and a Water Service Area Map that will revise the Service Areas for both Lincoln County and the City of Lincolnton.

Please feel free to contact us should you have questions or need additional information.

Very truly yours,

ENGINEERING MANAGEMENT, INC.

A handwritten signature in blue ink, appearing to read "Chip McGaughey".

Chip McGaughey, P.E.
Project Manager
chipm@eminc.biz

CM:dm

Enclosure

c: Mr. Roby Seymour, Lincoln County
Mr. Walker T. Norman, Lincoln County



GEORGIA DEPARTMENT OF COMMUNITY AFFAIRS

SERVICE DELIVERY STRATEGY

FOR

LINCOLN

COUNTY

PAGE 1

I. GENERAL INSTRUCTIONS:

1. Only one set of these forms should be submitted per county. The completed forms should clearly present the collective agreement reached by all cities and counties that were party to the service delivery strategy.
2. List each local government and/or authority that provides services included in the service delivery strategy in Section II below.
3. List all services provided or primarily funded by each general purpose local government and authority within the county in Section III below. It is acceptable to break a service into separate components if this will facilitate description of the service delivery strategy.
4. For **each** service or service component listed in Section III, complete a separate *Summary of Service Delivery Arrangements* form (page 2).
5. Complete one copy of the *Summary of Land Use Agreements* form (page 3).
6. Have the *Certifications* form (page 4) signed by the authorized representatives of participating local governments. Please note that DCA cannot validate the strategy unless it is signed by the local governments required by law (see Instructions, page 4).
7. Mail the completed forms along with any attachments to:

Georgia Department of Community Affairs
Office of Coordinated Planning
60 Executive Park South, N.E.
Atlanta, Georgia 30329

For answers to most frequently asked questions on Georgia's Service Delivery Act, links and helpful publications, visit DCA's website at www.dca.servicedelivery.org, or call the Office of Coordinated Planning at (404) 679-3114.

Note: Any future changes to the service delivery arrangements described on these forms will require an official update of the service delivery strategy and submittal of revised forms and attachments to the Georgia Department of Community Affairs.

II. LOCAL GOVERNMENTS INCLUDED IN THE SERVICE DELIVERY STRATEGY:

In this section, list all local governments (including cities located partially within the county) and authorities that provide services included in the service delivery strategy.

City of Lincolnton
Lincoln County

III. SERVICES INCLUDED IN THE SERVICE DELIVERY STRATEGY:

For each service listed here, a separate *Summary of Service Delivery Arrangements* form (page 2) must be completed.

Water Services



**SERVICE DELIVERY STRATEGY
SUMMARY OF SERVICE DELIVERY ARRANGEMENTS PAGE 2**

Instructions:

Make copies of this form and complete one for each service listed on page 1, Section III. Use exactly the same service names listed on page 1. Answer each question below, attaching additional pages as necessary. If the contact person for this service (listed at the bottom of the page) changes, this should be reported to the Department of Community Affairs.

County: Lincoln

Service: Water

1. Check the box that best describes the agreed upon delivery arrangement for this service:

☐ Service will be provided countywide (i.e., including all cities and unincorporated areas) by a single service provider. (If this box is checked, identify the government, authority or organization providing the service.): _____

☐ Service will be provided only in the unincorporated portion of the county by a single service provider. (If this box is checked, identify the government, authority or organization providing the service.): _____

☐ One or more cities will provide this service only within their incorporated boundaries, and the service will not be provided in unincorporated areas. (If this box is checked, identify the government(s), authority or organization providing the service): _____

☐ One or more cities will provide this service only within their incorporated boundaries, and the county will provide the service in unincorporated areas. (If this box is checked, identify the government(s), authority or organization providing the service.): _____

☒ Other (If this box is checked, **attach a legible map delineating the service area of each service provider**, and identify the government, authority, or other organization that will provide service within each service area.):

City of Lincolnton serves areas outside its incorporated boundaries as shown on the attached map.

2. In developing the strategy, were overlapping service areas, unnecessary competition and/or duplication of this service identified?

☒ Yes ☐ No

If these conditions will continue under the strategy, **attach an explanation for continuing the arrangement** (i.e., overlapping but higher levels of service (See O.C.G.A. 36-70-24(1)), overriding benefits of the duplication, or reasons that overlapping service areas or competition cannot be eliminated).

If these conditions will be eliminated under the strategy, **attach an implementation schedule** listing each step or action that will be taken to eliminate them, the responsible party and the agreed upon deadline for completing it.

3. List each government or authority that will help to pay for this service and indicate how the service will be funded (e.g., enterprise funds, user fees, general funds, special service district revenues, hotel/motel taxes, franchise taxes, impact fees, bonded indebtedness, etc.).

<i>Local Government or Authority:</i>	<i>Funding Method:</i>
City of Lincolnton	User Fees
Lincoln County	User Fees

4. How will the strategy change the previous arrangements for providing and/or funding this service within the county?

Previous arrangements will not change.

5. List any formal service delivery agreements or intergovernmental contracts that will be used to implement the strategy for this service:

<i>Agreement Name:</i>	<i>Contracting Parties:</i>	<i>Effective and Ending Dates:</i>
Water Conflict Agreement	City of Lincolnton & Lincoln County	effective 05 May 1999/perpetual in duration

6. What other mechanisms (if any) will be used to implement the strategy for this service (e.g., ordinances, resolutions, local acts of the General Assembly, rate or fee changes, etc.), and when will they take effect?

None.

7. Person completing form: Robert D. Seymour, Lincoln County

Phone number: 706 359 5523

Date completed: 22 October 2007

8. Is this the person who should be contacted by state agencies when evaluating whether proposed local government projects are consistent with the service delivery strategy? ☒ Yes ☐ No

If not, provide designated contact person(s) and phone number(s) below:



**SERVICE DELIVERY STRATEGY
SUMMARY OF LAND USE AGREEMENTS**

PAGE 3

Instructions:

Answer each question below, attaching additional pages as necessary. Please note that any changes to the answers provided will require updating of the service delivery strategy. If the contact person for this service (listed at the bottom of this page) changes, this should be reported to the Department of Community Affairs.

County: Lincoln

1. What incompatibilities or conflicts between the land use plans of local governments were identified in the process of developing the service delivery strategy?

No incompatibilities or conflicts between the land use plans of local governments were identified in the process of developing the service delivery strategy.

2. Check the boxes indicating how these incompatibilities or conflicts were addressed:

- ☐ amendments to existing comprehensive plans
☒ adoption of a joint comprehensive plan
☐ other measures (amend zoning ordinances, add environmental regulations, etc.)

Note: If the necessary plan amendments, regulations, ordinances, etc. have not yet been formally adopted, indicate when each of the affected local governments will adopt them.

If "other measures" was checked, describe these measures:

3. Summarize the process that will be used to resolve disputes when a county disagrees with the proposed land use classification(s) for areas to be annexed into a city. If the conflict resolution process will vary for different cities in the county, summarize each process.

See Items 1 through 4 on the attached Agreement to Resolve Land Use Classification Disputes.

4. What policies, procedures and/or processes have been established by local governments (and water and sewer authorities) to ensure that new extraterritorial water and sewer service will be consistent with all applicable land use plans and ordinances?

Lincoln County and the City of Lincolnton have established a joint comprehensive plan and joint water system (on file with DCA).

5. Person completing form: Robert D. Seymour

Phone number: 706 359 5523

Date completed: 22 October 2007

6. Is this the person who should be contacted by state agencies when evaluating whether proposed local government projects are consistent with land use plans of applicable jurisdictions? ☒ Yes ☐ No

If not, provide designated contact person(s) and phone number(s) below:



SERVICE DELIVERY STRATEGY UPDATE CERTIFICATIONS

Instructions:

This two page form must, at a minimum, be signed by an authorized representative of the following governments: 1) the county; 2) the city serving as the county seat; 3) all cities having a 2000 population of over 9,000 residing within the county; and 4) no less than 50% of all other cities with a 2000 population of between 500 and 9,000 residing within the county. Cities with a 2000 population below 500 and local authorities providing services under the strategy are not required to sign this form, but are encouraged to do so.

UPDATED SERVICE DELIVERY STRATEGY FOR LINCOLN COUNTY

We, the undersigned authorized representatives of the jurisdictions listed below, certify that:

1. We have reviewed our existing Service Delivery Strategy and have determined that:
(Check only one box for question #1)


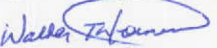
- ☐ A. Our Strategy continues to accurately reflect our preferred arrangements for providing local services throughout our county and no changes in our Strategy are needed at this time; or
- ☒ B. Our Strategy has been revised to reflect our preferred arrangements for providing local services.

If Option A is selected, only this form, signed by the appropriate local government representatives must be provided to DCA.

If Option B is selected, this form, signed by the appropriate local government representatives, must be submitted to DCA along with:

- an updated "Summary of Service Arrangements" form (page 2) for each local service that has been revised/updated;
 - any supporting local agreements pertaining to each of these services that has been revised/updated; and
 - an updated service area map depicting the agreed upon service area for each provider if there is more than one service provider for each service that has been revised/updated within the county, and if the agreed upon service areas do not coincide with local political boundaries.
2. Each of our governing bodies (County Commission and City Councils) that are a party to this strategy have adopted resolutions agreeing to the Service Delivery arrangements identified in our strategy and have executed agreements for implementation of our service delivery strategy (O.C.G.A. 36-70-21);
3. Our service delivery strategy continues to promote the delivery of local government services in the most efficient, effective, and responsive manner for all residents, individuals and property owners throughout the county (O.C.G.A. 36-70-24(1));
4. Our service delivery strategy continues to provide that water or sewer fees charged to customers located outside the geographic boundaries of a service provider are reasonable and are not arbitrarily higher than the fees charged to customers located within the geographic boundaries of the service provider (O.C.G.A. 36-70-24 (2));
5. Our service delivery strategy continues to ensure that the cost of any services the county government provides (including those jointly funded by the county and one or more municipalities) primarily for the benefit of the unincorporated area of the county are borne by the unincorporated area residents, individuals, and property owners who receive such service (O.C.G.A. 36-70-24 (3));

6. Our Service Delivery Strategy continues to ensure that the officially adopted County and City land use plans of all local governments located in the County are compatible and nonconflicting (O.C.G.A. 36-70-24 (4)(A));
7. Our Service Delivery Strategy continues to ensure that the provision of extraterritorial water and sewer services by any jurisdiction is consistent with all County and City land use plans and ordinances (O.C.G.A. 36-70-24 (4)(B)); and
8. Our Service Delivery Strategy continues to contain an agreed upon process between the county government and each city located in the county to resolve land use classification disputes when the county objects to the proposed land use of an area to be annexed into a city within the county (O.C.G.A. 36-70-24 (4)(C))' and;
9. DCA has been provided a copy of this certification and copies of all forms, maps and supporting agreements needed to accurately depict our agreed upon strategy (O.C.G.A. 36-70-27).

SIGNATURE:	NAME: (Please print or type)	TITLE:	JURISDICTION:	DATE:
 	Dwaine Biggerstaff Walker T. Norman	Mayor Chairman	City of Lincolnton Lincoln County Board of Commissioners	11-5-07 11-5-07

SERVICE DELIVERY STRATEGY

SERVICE: WATER SUPPLY/DISTRIBUTION
O.C.G.A. 36-70-24(1)

DUPLICATION OF SERVICE:

THE CITY OF LINCOLNTON HAS OWNED AND MAINTAINED A 12" WATER MAIN ON HIGHWAY 43/378 FROM THEIR WATER TREATMENT PLANT TO THE CITY OF LINCOLNTON SINCE 1964. THIS PLANT IS LOCATED APPROXIMATELY 4.3 MILES EAST OF LINCOLNTON. IN 1994, THE LINCOLN COUNTY TIED ONTO THE CITY OF LINCOLNTON'S MAIN LINE AT THE CITY WATER TREATMENT PLANT. FOR APPROXIMATELY 4.3 MILES, THE CITY HAS THEIR LINE ON THE NORTH SIDE OF HWY 43/378, AND THE COUNTY HAS THEIR LINE ON THE SOUTH SIDE OF HWY 43/378. BETWEEN 1964 AND 1994, THE CITY HAS ADDED CUSTOMERS TO THEIR LINE. SINCE 1994, THE COUNTY HAS ADDED CUSTOMERS TO THEIR LINE.

BOTH MAIN LINES ARE NECESSARY FOR THE OPERATION OF THEIR RESPECTIVE WATER SYSTEMS, AND IT WOULD BE COSTLY TO ELIMINATE THIS DUPLICATION.

COMPETITION:

THE CITY OF LINCOLNTON AND LINCOLN COUNTY WILL NOT DISPUTE EXISTING CUSTOMER'S THAT ARE HOOKED ON TO EACH SYSTEM.

THE CITY OF LINCOLNTON AND LINCOLN COUNTY HAVE REACHED AGREEMENTS TO INSURE THAT THERE IS NO FUTURE COMPETITION ALONG THESE PARALELL LINES.

WATER CONFLICT AGREEMENT CITY OF LINCOLNTON/LINCOLN COUNTY

Whereas, the Lincolnton-Lincoln County Comprehensive Plan 1993-2015 as duly amended, was developed jointly and includes a single land use classification plan for the unincorporated and incorporated areas of the county; and

Whereas, it is the intent of the respective governments party to this agreement to establish a process whereby the provision of extraterritorial water and sewer services by any jurisdiction shall be consistent with all applicable land use plans and ordinances so as to meet both the requirements of law and spirit of cooperation and coordination outlined in the Georgia Service Delivery Act.

Whereas, the City of Lincolnton has in the past extended water lines in the unincorporated area of the county,

Whereas, Lincoln County is operating a water system in the unincorporated area of the county also,

Whereas, there are existing City and County water lines along the same roadways,

Whereas, there is a potential for conflict,

Whereas, the City of Lincolnton and Lincoln County wish to avoid conflicts,

The City of Lincolnton and Lincoln County agree to the following:

- 1) The City of Lincolnton will not construct or extend new water or sewer lines nor hook up new customers along new water or sewer lines in the unincorporated areas of the county without the express written approval by the Lincoln County Board of Commissioners.

- 2) Lincoln County will not construct or extend new water or sewer lines, nor hook up new customers along new water or sewer lines in the incorporated areas of the county without the express written approval by the City Council of the City of Lincoln.
- 3) In the event that one party, or the other, feels that the disapproval of a written request is unreasonable, both parties agree that any and all conflicts concerning Item 1 & 2 above, will be resolved by an arbitrator appointed by the Executive Director of the CSRA RDC or his designee, and will be binding upon both parties.
- 4) This agreement supercedes any and all other provisions, whether by contract or law, pertaining to the parties and subjects hereto.

This extraterritorial process for water and sewer services shall remain in force and effect until amended by agreement of each party or unless otherwise terminated by operation of law.

In Witness whereof, the parties have hereunto set their hands and affixed their seals on the dates hereafter shown.

ATTEST:

Kay F. Remsen

City Clerk

Signed on 04/20/99, 1999

BY:

CITY OF LINCOLN

William B. Buggs
MAYOR

In Presence of:

Margaret F. Mattison
Witness

COUNTY OF LINCOLN

BY:

Ray Davis
CHAIRMAN

ATTEST:

Patricia C. Dickson
County Clerk - Board of Commissioners

Signed on May 5, 1999

In the Presence of:

Dona P. Gibson

Witness